

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve M. Vaughn, District No. 5

The COMMITTEE ON FINANCE met on Monday, November 18, 2002, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 8:32 p.m.

PRESENT: Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, District No. 2, acting Chairman; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Steve M. Vaughn, Council Member District No. 5, Chairman was excused.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspaper, radio stations, television stations and concerned citizens.

APPROVAL OF MINUTES:

Chairman Spooner asked the Committee's pleasure on the approval of the minutes for the Committee on Finance meeting held on October 21, 2002.

It was moved by Councilmember Pinckney and seconded by Councilmember Charlie Davis to approve the minutes as presented. The motion was passed by unanimous voice vote of the Committee.

A. James H. Rozier, Jr. Berkeley County Supervisor: Re: Adoption of Credit Card Policy for Elected Officials.

Mr. Rozier explained that approximately one year ago a credit card policy was adopted for non-elected officials. There was not one adopted for the Elected Officials. The auditors brought this to their attention and suggested that a policy be adopted for Elected Officials. The Elected Officials agreed to follow the same policy that non-elected officials are currently under.

It was moved by Councilmember Mims and seconded by Councilmember Crosby to adopt the Credit Card policy for Elected Officials. The motion passed by unanimous voice vote of the Committee.

B. Mr. Oliver Buckles, Chairman Berkeley County Accommodations Advisory Committee, Re: Presentation.

Mr. Buckles thanked the Committee for allowing him to present the Berkeley County Accommodations Advisory Committee (BCAAC) annual report. Mr. Buckles provided each Councilmember with a packet, which included: Financial Report for the year; itemized listing of expenses for the year; and brochures. The BCAAC has an objective of increasing the amount of overnight stays in the County. The BCAAC went into outlying communities and sought out companies and persons that would be interested in visiting Berkeley County. The Chamber of Commerce has kept in touch with these leads with telephone calls, advertisement and literature. This program was a success; there was a 14.3% increase in the overnight stays for the year. The State average increase was 5%. In the upcoming year new brochures, 14 trade shows, new advertisements and a fishing video will be used to advertise Berkeley County. County Council has shown the foresight to establish the Accommodations Tax and designate it for promotion; therefore Berkeley County can be proud of its accomplishments in tourism. Old Santee Canal Park in 2001 had 27,000 visitors; as of October this year they have exceeded that number by 1500. Mepkin Abby reports an increase of an excess of 3000 visitors. Cypress Gardens reports their spring visitation has booked 12 tour buses (exceeds 5000 people). A bus that stays overnight in the County will leave over \$7800 in the county each night; \$2800 a day for a bus that stays for the day. Again, Mr. Buckles thanked the Committee for the foresight to establish the accommodations tax.

C. Consideration of a Resolution giving an extra day of paid vacation in recognition of the 2002 Christmas Holiday.

It was moved by Councilmember Charlie Davis and seconded by Councilmember Steve Davis to send the Resolution forward as presented. The motion passed by unanimous voice vote of the Committee.

D. Consideration of a Resolution making application to the State Budget and Control Board of South Carolina pursuant to Section 1-11-530, Code of Laws of South Carolina, 1976, as amended, for its approval of an allocation of the state's 2002 private activity bond cap and a carry-forward election with respect to such allocation, both related to exempt facility industrial revenue bonds (BP Amoco Chemical Company Project) Series 2003, to be issued pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended, in an approximate principal amount of \$50,000,000.

It was moved by Councilmember Crosby and seconded by Councilmember Mims to send the Resolution forward as presented. The motion passed by unanimous voice vote of the Committee

E. Review prior to Second Reading of the following:

1. Bill No.02-61, an Ordinance to amend the agreement for development of a Joint County Industrial Park executed on April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial/business park so as to include additional property in both

Berkeley County and Williamsburg County as part of the Joint County Industrial Park, and other matters relating thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Mims to send Bill No. 02-61 forward for Second Reading. The motion was passed by unanimous voice vote of the Committee.

Councilmember Davis requested that the following be read Collectively.

2. Bill No. 02-62, An Ordinance authorizing Berkeley County, South Carolina (the "County") to enter into a second addendum to that certain personal property lease purchase agreement with Norton McNaughton of Squire, Inc. and such other documents and agreements in connection therewith as approved by the Chairman/Supervisor of County Council which agreements include (a) the consent of the county to the merger of McNaughton Apparel Holdings Inc. into Norton McNaughton of Squire, Inc. and (b) at the election of Norton McNaughton of Squire, Inc., either (i) the conversion of the fee-in-lieu of taxes arrangement into a non-leasehold arrangement under Chapter 44 of Title 12 of the South Carolina Code of Laws (together with the reconveyance to Norton McNaughton of Squire, Inc. of the personal property leased by Norton McNaughton of Squire, Inc. from the County pursuant to the personal property lease purchase agreement) or (ii) the acceptance by the County of title to the personal property with respect to the second phase of the project and the lease of such personal property back to Norton McNaughton of Squire, Inc. and authorizing the execution and delivery of said addendums, documents and agreements.

3. Bill No. 02-63, An Ordinance authorizing Berkeley County, South Carolina (the "County") to enter into a second addendum to that certain real property lease purchase agreement with E. and H. Ross/Charleston Industrial, LLC, a subordination, non-disturbance and attornment agreement with State Farm Life Insurance Company and such other documents and agreements in connection therewith as approved by the Chairman/Supervisor of County Council which agreements include (a) the consent of the County to the merger of McNaughton Apparel Holdings Inc. into Norton McNaughton of Squire, Inc., (b) the consent of the County to the partial assignment of the real property lease purchase agreement by E. and H. Ross/Charleston Industrial, LLC to North Point Park, LLC and (c) at the election of Norton McNaughton of Squire, Inc., E. and H. Ross/Charleston Industrial, LLC, North Point Park, LLC, and State Farm Life Insurance Company, either (i) the conversion of the fee-in-lieu of taxes arrangement into a non-leasehold arrangement under Chapter 44 of Title 12 of the South Carolina Code of Laws (together with the reconveyance to E. and H. Ross/Charleston Industrial, LLC of the real property leased by E. and H. Ross/Charleston Industrial, LLC from the County under the real property lease purchase agreement) or (ii) the acceptance by the County of title to the real property with respect to the second phase of the project and the lease of such real property back to North Point Park, LLC pursuant to the terms of the real property lease purchase agreement and authorizing the execution and delivery of said addendums, documents and agreements.

4. Bill No. 02-64, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement and certain instruments relating thereto by and between Berkeley County

and Knology of Charleston, Inc., whereby, Berkeley County will enter into a fee-in-lieu of taxes arrangement with Knology of Charleston, Inc.; providing for payment by Knology of Charleston, Inc. of certain fees in lieu of Ad Valorem taxes; and other matters relating thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Farley to send Bills Numbered 02-62, 02-63 and 02-64 forward for Second Reading. The motion passed by unanimous voice vote of the Committee.

F. Review prior to Third Reading of Bill No. 02-55, an Ordinance authorizing the execution and delivery and sale of not exceeding \$7,000,000 aggregate principal amount of Berkeley County, South Carolina, industrial development revenue bonds; the lending of the proceeds of the bonds to provide funds to Charleston Midstream Transfer Facility, LLC (the "Company") to defray the cost of acquiring certain machinery, equipment, and other property; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the bonds, including a loan agreement between the county and the company; a trust indenture, securing such issue of bonds and prescribing matters related thereto; a bond purchase agreement; and an offering memorandum with respect to the bonds; and other matters relating thereto.

This item was held in Committee.

G. REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Councilmember Milton Farley, Chairman.

Councilmember Farley moved on recommendation of the Committee on Justice and Public Safety to approve funding of a Records Information Analyst for the Sheriff's Department and transfer from contingency \$21,892 for the remainder of fiscal year 2002-2003. (No Second Required) The motion passed by majority voice vote of the Committee with Councilmember Spooner voting "Nay."

Councilmember Farley moved on recommendation of the Committee on Justice and Public Safety to approve funding for computer software for the Probate court in the amount of \$1500 to come from contingency. (No Second Required) The motion passed by unanimous voice vote of the Committee.

Councilmember Farley moved on recommendation of the Committee on Justice and Public Safety to approve funding in the amount (maximum) of \$2500 for a temporary position in the Magistrate's Office to come from contingency. (No Second Recor). The motion passed by unanimous voice vote of the Committee.

WITHOUT OBJECTION:

There was no objection.

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Councilmember William E. Crosby, Chairman.

Councilmember Crosby moved on recommendation of the Committee on Public Works and Purchasing to transfer \$3,760 from contingency to fund underground fuel system repairs and computer software for the Purchasing Department. (No Second Required) The motion passed by unanimous voice vote of the Committee.

COMMITTEE ON LAND USE, Councilmember Charles Davis, Chairman.

Councilmember Charlie Davis moved on recommendation of the Committee on Land Use to transfer \$3,269.78 from contingency to fund three special salary increase request for Register of Deeds Department. (No Second Required)

Chairman Spooner requested a Roll Call Vote:

Councilmember Farley	"Nay"
Councilmember Spooner	"Nay"
Councilmember Crosby	"Nay"
Councilmember Charlie Davis	"Aye"
Councilmember Vaughn	"Nay"
Councilmember Mims	"Aye"
Councilmember Pinckney	"Abstain"
Councilmember Steve Davis	"Abstain"

The motion failed.

Before voting Councilmember Pinckney stated the following:

"I would like to make a comment. I know initially what my vote was. I have gotten a lot of letters, phone calls and personal contacts about this increase. I'm concerned. Simply because I think as a governing body our concerns should be taxpayers first and services second. Employees of the County are the ones that provide these services that we so desperately need. Since I have been on Council we have given increases to various employees. Why I am confused is that prior to this, there were no letters, nor phone calls from County employees about other employees that got increases. In some instances, let it be shown on the record, some of the individual employees got more than what we are talking about for three (3) employees. I don't understand why there is such a concern here, and why we are being so hypocritical with it, but because I am concerned about the morale of the employees, and they are telling me what this is going to effect the morale. Like I said initially I am concerned about the employees that provide services for the taxpayers of Berkeley County. Whether their written and personal contact or telephone calls are legitimate, the fact remains that they made them. Some of the letters were intrusive, I took offense to a couple of them, because they were trying to tell me I should not have voted the way that I voted, but as an Elected Official I have that right. I say all that to say

this, and I hope that I am understood and not misunderstood, because I am concerned about the morale of the employees, and if that is legitimate, I am going to abstain.”

It was moved by Councilmember Crosby and seconded by Councilmember Farley to adjourn the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

The meeting was adjourned at 9:04 p.m.

December 9, 2002
Date Approved

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve M. Vaughn, District No. 5

Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A Meeting of the COMMITTEE ON FINANCE, Standing Committee of Berkeley County Council, will be held on Monday November 18, 2002, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, following the Meeting of the Committee on Public Works and Purchasing, the Committee on Land Use, the Committee on Planning and Development and the Committee on Justice and Public Safety at 6:00 pm.

AGENDA

EXECUTIVE SESSION to discuss matters relating to the employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body; and other matters covered by the attorney-client privilege.

APPROVAL OF MINUTES

October 21, 2002

- A. James H. Rozier, Jr., Berkeley County Supervisor, Re: Adoption of Credit Card Policy for Elected Officials.
- B. Mr. Oliver Buckles, Chairman Berkeley County Accommodations Advisory Committee, Re: Presentation.
- C. Consideration of a Resolution a giving an extra day of paid vacation in recognition of the 2002 Christmas Holiday.
- D. Consideration of a Resolution making application to the State Budget and Control Board of South Carolina pursuant to Section 1-11-530, Code of Laws of South Carolina, 1976, as amended, for its approval of an allocation of the state's 2002 private activity bond cap and a carry-forward election with respect to such allocation, both related to exempt facility industrial revenue bonds (BP Amoco Chemical Company Project) Series 2003, to be issued pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended, in an approximate principal amount of \$50,000,000.

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G. REPORTS FROM STANDING COMMITTEES:

Committee on Justice and Public Safety
Council Member Milton Farley, Chairman

1. Sheriff's Department:
Additional personnel.

Committee on Land Use
Council Member Charles Davis, Chairman

1. Register of Deeds:
Special Salary Increases.

H. James H. Rozier, Jr., Berkeley County Supervisor, Re: County Personnel Salary Upgrades.

November 13, 2002
S/Barbara B. Austin
Clerk of County Council